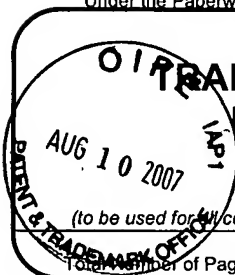
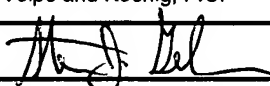


| | | |
|---|----------------------|------------------|
|  | Application Number | 10/772,643 |
| | Filing Date | February 5, 2004 |
| | First Named Inventor | Stager et al. |
| | Art Unit | 2165 |
| | Examiner Name | Farhan M Syed |
| Attorney Docket Number | | NET-P01-2287.01 |


| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Form PTO-1449. Three (3) references cited. |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="text"/> Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Volpe and Koenig, P.C. | | |
| Signature |  | | |
| Printed name | Steven J. Gelman | | |
| Date | August 8, 2007 | Reg. No. | 41,034 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|---|------|----------------|
| Signature |  | | |
| Typed or printed name | Steven J. Gelman | Date | August 8, 2007 |

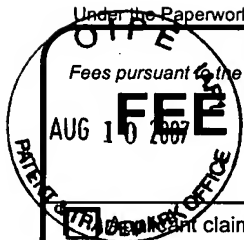
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Approved for use through 05/31/2007.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TRANSMITTAL **For FY 2007**

For small entity status. See 37 CFR 1.27

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/772,643 |
| Filing Date | February 5, 2004 |
| First Named Inventor | Stager et al. |
| Examiner Name | Farhan M Syed |
| Art Unit | 2165 |
| Attorney Docket No. | NET-P01-2287.01 |

TOTAL AMOUNT OF PAYMENT (\$) 180

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 22-0493 Deposit Account Name: Volpe and Koenig, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
|--------------|--------------|----------|---------------|---------------------------|
| - 20 or HP = | x | = | | Fee (\$) |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
| - 3 or HP = | x | = | |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Supplemental Information Disclosure Statement \$180.00

SUBMITTED BY

| | | | |
|-------------------|------------------|--|------------------------|
| Signature | | Registration No. (Attorney/Agent) 41,034 | Telephone 215-568-6400 |
| Name (Print/Type) | Steven J. Gelman | Date August 8, 2007 | |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Stager et al.

Application No.: 10/772,643

Confirmation No.: 5771

Filed: February 5, 2004

For: METHOD AND SYSTEM FOR STORING
DATA USING A CONTINUOUS DATA
PROTECTION SYSTEM

Group: 2165

Examiner: Farhan M Syed

Our File: NET-P01-2287.01

Date: August 8, 2007

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

08/10/2007 WASFAW1 00000023 10772643

01 FC:1806

180.00 OP

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed Form PTO-1449.

The listed references include references previously cited in this application. Newly cited documents are indicated by an asterisk (*) on the enclosed Form PTO-1449. Copies of the newly cited documents are enclosed. Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

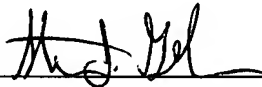
This Information Disclosure Statement is being filed with the fee required by 37 C.F.R. § 1.17(p).

Applicant: Stager et al.
Application No.: 10/772,643

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the Form PTO-1449 indicating his consideration of the cited materials.

Respectfully submitted,

Stager et al.

By 
Steven J. Gelman
Registration No. 41,034
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

SJG/ci
Enclosures



| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|---|-----------------|---------|------------------|-------|----------|-------------------------------|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | | 4,635,145 | 01/1987 | Horie et al. | | | |
| | * | 4,727,512 | 02/1988 | Birkner et al. | | | |
| | | 4,775,969 | 10/1988 | Osterlund | | | |
| | * | 5,235,695 | 08/1993 | Pence | | | |
| | * | 5,297,124 | 03/1994 | Plotkin et al. | | | |
| | | 5,438,674 | 08/1995 | Keele et al. | | | |
| | | 5,455,926 | 10/1995 | Keele et al. | | | |
| | * | 5,485,321 | 01/1996 | Leonhardt et al. | | | |
| | | 5,666,538 | 09/1997 | DeNicola | | | |
| | | 5,673,382 | 09/1997 | Cannon et al. | | | |
| | | 5,774,292 | 06/1998 | Georgiou et al. | | | |
| | | 5,774,715 | 06/1998 | Madany et al. | | | |
| | | 5,805,864 | 09/1998 | Carlson et al. | | | |
| | | 5,809,511 | 09/1998 | Peake | | | |
| | | 5,809,543 | 09/1998 | Byers et al. | | | |
| | | 5,854,720 | 12/1998 | Shrinkle et al. | | | |
| | * | 5,864,346 | 01/1999 | Yokoi et al. | | | |
| | | 5,872,669 | 02/1999 | Morehouse et al. | | | |
| | * | 5,875,479 | 02/1999 | Blount et al. | | | |
| | | 5,911,779 | 06/1999 | Stallmo et al. | | | |
| | | 5,949,970 | 09/1999 | Sipple et al. | | | |
| | | 5,961,613 | 10/1999 | DeNicola | | | |
| | | 5,963,971 | 10/1999 | Fosler et al. | | | |
| | | 6,021,408 | 02/2000 | Ledain et al. | | | |
| | | 6,023,709 | 02/2000 | Anglin et al. | | | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|---|---|----------------------------------|
| <p>FORM PTO-1449</p> <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use several sheets if necessary)</p> | <p>ATTY. DOCKET NO. NET-P01-2287.01</p> | <p>SERIAL NO. 10/772,643</p> |
| | <p>APPLICANT Stager et al.</p> | |
| | <p>FILING DATE February 5, 2004</p> | <p>GROUP 2165</p> |

| | | | | | | | |
|----------|---|-----------|---------|--------------------|--|--|--|
| | | 6,029,179 | 02/2000 | Kishi | | | |
| | | 6,041,329 | 03/2000 | Kishi | | | |
| | | 6,044,442 | 03/2000 | Jesionowski | | | |
| | | 6,049,848 | 04/2000 | Yates et al. | | | |
| | | 6,061,309 | 05/2000 | Gallo et al. | | | |
| | * | 6,067,587 | 05/2000 | Miller et al. | | | |
| | | 6,070,224 | 05/2000 | LeCrone et al. | | | |
| | | 6,098,148 | 08/2000 | Carlson | | | |
| | | 6,128,698 | 10/2000 | Georgis | | | |
| | | 6,131,142 | 10/2000 | Kamo et al. | | | |
| | * | 6,131,148 | 10/2000 | West et al. | | | |
| | | 6,163,856 | 12/2000 | Dion et al. | | | |
| | | 6,173,359 | 01/2001 | Carlson et al. | | | |
| | | 6,195,730 | 02/2001 | West | | | |
| | | 6,225,709 | 05/2001 | Nakajima, Hiroshi | | | |
| | | 6,247,096 | 06/2001 | Fisher et al. | | | |
| | | 6,260,110 | 07/2001 | LeCrone et al. | | | |
| | | 6,266,784 | 07/2001 | Hsiao et al. | | | |
| | | 6,269,423 | 07/2001 | Kishi | | | |
| | | 6,269,431 | 07/2001 | Dunham | | | |
| | | 6,282,609 | 08/2001 | Carlson | | | |
| | | 6,289,425 | 09/2001 | Blendermann et al. | | | |
| | * | 6,292,889 | 09/2001 | Fitzgerald et al. | | | |
| | * | 6,301,677 | 10/2001 | Squibb, Mark D. | | | |
| | | 6,304,880 | 10/2001 | Kishi | | | |
| | | 6,317,814 | 11/2001 | Blendermann et al. | | | |
| | | 6,324,497 | 11/2001 | Yates et al. | | | |
| | | 6,327,418 | 12/2001 | Barton | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| | | | | | | | |
|----------|---|-----------|---------|---------------------|--|--|--|
| | | 6,336,163 | 01/2002 | Brewer et al. | | | |
| | | 6,336,173 | 01/2002 | Day et al. | | | |
| | | 6,339,778 | 01/2002 | Kishi | | | |
| | | 6,341,329 | 01/2002 | LeCrone et al. | | | |
| | | 6,343,342 | 01/2002 | Carlson | | | |
| | | 6,353,837 | 03/2002 | Blumenau | | | |
| | | 6,360,232 | 03/2002 | Brewer et al. | | | |
| | | 6,389,503 | 05/2002 | Georgis et al. | | | |
| | | 6,408,359 | 06/2002 | Ito et al. | | | |
| | | 6,487,561 | 11/2002 | Ofek et al. | | | |
| | * | 6,496,791 | 12/2002 | Yates et al. | | | |
| | | 6,499,026 | 12/2002 | Rivette et al. | | | |
| | | 6,557,073 | 04/2003 | Fujiwara | | | |
| | | 6,557,089 | 04/2003 | Reed et al. | | | |
| | * | 6,578,120 | 06/2003 | Crockett et al. | | | |
| | * | 6,615,365 | 09/2003 | Jenevein et al. | | | |
| | * | 6,625,704 | 09/2003 | Winokur, Alexander | | | |
| | * | 6,654,912 | 11/2003 | Viswanathan et al. | | | |
| | * | 6,658,435 | 12/2003 | McCall, Colin David | | | |
| | * | 6,694,447 | 02/2004 | Leach et al. | | | |
| | | 6,725,331 | 04/2004 | Kedem, Ishay | | | |
| | * | 6,766,520 | 07/2004 | Rieschl et al. | | | |
| | | 6,779,057 | 08/2004 | Masters, et al. | | | |
| | | 6,779,058 | 08/2004 | Kishi et al. | | | |
| | | 6,779,081 | 08/2004 | Arakawa et al. | | | |
| | | 6,816,941 | 11/2004 | Carlson et al. | | | |
| | | 6,816,942 | 11/2004 | Okada et al. | | | |
| | * | 6,834,324 | 12/2004 | Wood | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| | | | | | | | |
|----------|---|--------------|---------|----------------------|--|--|--|
| | * | 6,850,964 | 02/2005 | Brough et al. | | | |
| | * | 6,877,016 | 04/2005 | Hart et al. | | | |
| | * | 6,915,397 | 07/2005 | Lubbers et al. | | | |
| | | 6,931,557 | 08/2005 | Togawa, Yoshifusa | | | |
| | | 6,950,263 | 09/2005 | Suzuki et al. | | | |
| | | 6,973,534 | 12/2005 | Dawson | | | |
| | | 6,978,325 | 12/2005 | Gibble | | | |
| | | 7,032,126 | 04/2006 | Zalewski et al. | | | |
| | * | 7,055,009 | 05/2006 | Factor et al. | | | |
| | * | 7,096,331 | 08/2006 | Haase et al. | | | |
| | * | 7,100,089 | 08/2006 | Phelps, Adam M. | | | |
| | * | 7,111,136 | 09/2006 | Yamagami, Kenji | | | |
| | * | 7,127,388 | 10/2006 | Yates et al. | | | |
| | * | 7,155,586 | 12/2006 | Wagner et al. | | | |
| | * | 2002/0004835 | 01/2002 | Yarbrough | | | |
| | | 2002/0016827 | 02/2002 | McCabe et al. | | | |
| | | 2002/0026595 | 02/2002 | Saitou et al. | | | |
| | * | 2002/0095557 | 07/2002 | Constable et al. | | | |
| | | 2002/0144057 | 10/2002 | Li et al. | | | |
| | | 2002/0166079 | 11/2002 | Ulrich et al. | | | |
| | * | 2002/0199129 | 12/2002 | Bohrer et al. | | | |
| | | 2003/0004980 | 01/2003 | Kishi et al. | | | |
| | | 2003/0037211 | 02/2003 | Winokur | | | |
| | | 2003/0120676 | 06/2003 | Holavanahalli et al. | | | |
| | * | 2003/0126388 | 07/2003 | Yamagami, Kenji | | | |
| | * | 2003/0135672 | 07/2003 | Yip et al. | | | |
| | * | 2003/0149700 | 08/2003 | Bolt | | | |
| | | 2003/0182350 | 09/2003 | Dewey | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|---|---|----------------------------------|
| <p>FORM PTO-1449</p> <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use several sheets if necessary)</p> | <p>ATTY. DOCKET NO. NET-P01-2287.01</p> | <p>SERIAL NO. 10/772,643</p> |
| | <p>APPLICANT Stager et al.</p> | |
| | <p>FILING DATE February 5, 2004</p> | <p>GROUP 2165</p> |

| | | | | | | | |
|----------|---|--------------|---------|--------------------|--|--|--|
| | | 2003/0188208 | 10/2003 | Fung, Henry T. | | | |
| | * | 2003/0225800 | 12/2003 | Kavuri, Srinivas | | | |
| | | 2004/0015731 | 01/2004 | Chu et al. | | | |
| | * | 2004/0098244 | 05/2004 | Dailey et al. | | | |
| | * | 2004/0181388 | 09/2004 | Yip et al. | | | |
| | | 2004/0181707 | 09/2004 | Fujibayashi, Akira | | | |
| | | 2005/0010529 | 01/2005 | Zalewski et al. | | | |
| | * | 2005/0044162 | 02/2005 | Liang et al. | | | |
| | | 2005/0063374 | 03/2005 | Rowan et al. | | | |
| | | 2005/0065962 | 03/2005 | Rowan et al. | | | |
| | | 2005/0066118 | 03/2005 | Perry et al. | | | |
| | | 2005/0066222 | 03/2005 | Rowan et al. | | | |
| | | 2005/0066225 | 03/2005 | Rowan et al. | | | |
| | * | 2005/0076070 | 04/2005 | Mikami, Shougo | | | |
| | | 2005/0076261 | 04/2005 | Rowan et al. | | | |
| | | 2005/0076262 | 04/2005 | Rowan et al. | | | |
| | | 2005/0076264 | 03/2005 | Rowan et al. | | | |
| | * | 2005/0144407 | 06/2005 | Colgrove et al. | | | |
| | | 2006/0047895 | 03/2006 | Rowan et al. | | | |
| | | 2006/0047902 | 03/2006 | Passerini, Ron | | | |
| | | 2006/0047903 | 03/2006 | Passerini, Ron | | | |
| | * | 2006/0047905 | 03/2006 | Matze et al. | | | |
| | | 2006/0047925 | 03/2006 | Perry, Robert | | | |
| | | 2006/0047989 | 03/2006 | Delgado et al. | | | |
| | | 2006/0047998 | 03/2006 | Darcy, Jeff | | | |
| | | 2006/0047999 | 03/2006 | Passerini et al. | | | |
| | * | 2006/0143376 | 06/2006 | Matze et al. | | | |
| | | | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|---|---|---------|----------------|-------|----------|-------------|----|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | * | EP1333379 | 04/2006 | Bolt, Thomas | | | | |
| | | EP1 671231 | 06/2006 | Rowan et al. | | | | |
| | * | WO1999/03098 | 01/1999 | Yates et al. | | | | |
| | * | WO1999/06912 | 02/1999 | Georgis et al. | | | | |
| | | WO2005/031576 | 04/2005 | Rowan et al. | | | | |
| | | WO2006/023990 | 03/2006 | Perry, Robert | | | | |
| | | WO2006/023991 | 03/2006 | Rowan et al. | | | | |
| | | WO2006/023992 | 03/2006 | Passerini, Ron | | | | |
| | | WO2006/023993 | 03/2006 | Rowan et al. | | | | |
| | | WO2006/023994 | 03/2006 | Rowan et al. | | | | |
| | | WO2006/023995 | 03/2006 | Perry, Robert | | | | |
| OTHER DOCUMENTS | | | | | | | | |
| EXAMINER INITIAL | | DESCRIPTION (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | |
| | | "Alacritus Software's Securitus I: Pointing the Way to Virtual Tape Libraries" Aberdeen Group, Inc., March 2002. | | | | | | |
| | | "Continuous Data Protection: Business Continuity for the Era of Networked Storage: An Executive White Paper" Aberdeen Group, Inc., July 2003. | | | | | | |
| | | "Alacritus Software's Chronospan: Make Time for Continuous Data Protection" Aberdeen Group, Inc., October 2003. | | | | | | |
| | | Hill, David "Alacritus Software's Securitus: Defining the Way to Virtual Tape Libraries" Aberdeen Group, Inc., July 2003. | | | | | | |
| | | "Alacritus Software's Securitus: Defining the Way to Virtual Tape Libraries" Aberdeen Group, Inc., July 2003. | | | | | | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| | | |
|--|--|---|
| | | "Product Brief: Rhapsody/Alacritus-Secritus/XPath Virtual Tape in the Fabric" The Enterprise Storage Group, August 2002. |
| | | "Alacritus Software Announces Secritus I, The Industry's First Virtual Tape Library Solution: Secritus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., June 25, 2001. |
| | | "Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library Appliance: Industry's First Virtual Tape Library Appliance to Replace Storage Tape Libraries" Alacritus Software, Inc., June 25, 2001. |
| | | "Hitachi CP, Nissho, and Alacritus Software Bring Virtual Tape Library Appliance Solution to Market: Three Companies Join to Deliver VTLA Smart Guard – A Disk Subsystem Product that Functions as a Virtual Storage Tape Library" Alacritus Software, Inc., October 3, 2001. |
| | | Trimmer, Don, "Tape Free Backup/Recovery: Requirements and Advantages: Virtualization Technology Will Encompass Many Applications, One of the Most Significant Possibly Being Backup/Recovery" InfoStor, March 2002. |
| | | "Alacritus Software Announces Virtual Tape Library Support for Legato NetWorker Data Protection Solution" Alacritus Software, Inc., January 8, 2002. |
| | | Camphuisen, Alicia, "Hitachi Inks OEM Deal with Legato" Knapp Comm., July 17, 2002. |
| | | Biggar, Heidi, "Alacritus Enables Disk-Based Backup" InfoStor, September 2001. |
| | | "Secritus I White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Software, Inc., July 2001. |
| | | "Alacritus Software FAQs" Alacritus Software, Inc., July 2001. |
| | | "Disk-Based Data Protection" Alacritus Software, Inc., July 2001. |
| | | "Virtual Tape Library Technology Brochure" Alacritus Software, Inc., July 2001. |
| | | "Disk-Based Data Protection" Alacritus Software, Inc., September 2001. |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| | | |
|--|--|---|
| | | "Disk-Based Data Protection" Alacritus Software, Inc., September 2002. |
| | | Payack, Paul JJ, "Alacritus Lines Up OEM Partners for Virtual Tape Library Push" The (451) Storage & Systems, October 4, 2002. |
| | | Payack, Paul JJ, "Alacritus Software Announces Continuous Data Protection with New Chronospan Technology" October 28, 2003. |
| | | Payack, Paul JJ, "Alacritus Software Announces New Customers for Securitus VTLA" Alacritus Software, January 13, 2004. |
| | | Baltazar, Henry "Weaving Apps Into SAN Fabric" eWEEK, March 24, 2003. |
| | | Baltazar, Henry "More Intelligence is on the Way" eWEEK, September 15, 2003. |
| | | Barrett, Alex "The Case for Network Smarts" Storage Magazine, June 2003. |
| | | "Securitus White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Website, October 2003. |
| | | "Manageability: Securitus v. Tape" Alacritus Website, October 2003. |
| | | "The SNIA Data Management Forum Created to Tackle Data Protection and Information Lifecycle Management Issues: Enhanced Backup Solutions Initiative Rolls Efforts into New SNIA Forum" Storage Networking Industry Association, October 13, 2003. |
| | | "No Changes Required: Securitus v. Tape" Alacritus Website, October 2003. |
| | | "Customer Success" Alacritus Website, October 2003. |
| | | "Chronospan" Alacritus Website, October 2003. |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
|--|-------------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. NET-P01-2287.01 | SERIAL NO. 10/772,643 |
| | APPLICANT Stager et al. | |
| | FILING DATE February 5, 2004 | GROUP 2165 |

| | | |
|--|--|--|
| | | "Alacritus Software Announces Securitus I, the Industry's First Virtual Tape Library Solution: Securitus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., April 9, 2002. |
| | | Biggar, Heidi, "Disk and Tape Forge New Partnership in Backup Arena" InfoStor, November 2001. |
| | | Preston, W. Curtis, "Surprise! Cheap Disks Cure Slow Backup" Storage Magazine, June 1, 2002. |
| | | "Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library" internetnews.com, June 25, 2001. |
| | | "Alacritus Software and Rhapsody Networks to Develop Breakthrough Backup Solutions for Storage Networks: Companies to Provide First Network-Intelligent Virtual Tape Solution Resulting in Dramatic ROI, Increases in Data Backup Performance and Scalability" Alacritus Software, July 8, 2002. |
| | | Komiega, Kevin, "Vendor Pushes Disk Backup Over Tape" SearchStorage.com January 10, 2003. |
| | | "Testimonials" Alacritus Website, October 2003. |
| | | "Seamless Integration" Alacritus Website, October 2003. |
| | | "Topologies" Alacritus Website, October 7, 2003. |
| | | "Securitus" Alacritus Website, October 2003. |
| | | "Scalability: Securitus v. Tape" Alacritus Website, October 2003. |
| | | "Strengths: Securitus v. Tape " Alacritus Website, October 2003. |
| | | "Alacritus Announces Disk-Based Successor to Tape" Knapp Comm., August 21, 2002. |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.